

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KING COUNTY,

Plaintiff,

v.

Michael J. Abernathy; Gina M. Abernathy;
Scott C. Baisch; Jennifer C. Baisch; Warren
Beres; Vicki Beres; Jody J. Brewster; Andrew
J. Faraci; Allisa E. Faraci; Patricia J. Harrell;
Andrezej Milkowski; Lisa M. Milkowski;
Michael Parrott; and Diana Parrott,

Defendants.

No. 2:20-cv-00060-MAT

**PLAINTIFF KING COUNTY AND
DEFENDANTS ANDREW AND ALISSA
FARACI'S STIPULATED JUDGMENT
QUIETING TITLE**

(Proposed)

Clerk's Action Required

I. STIPULATED JUDGMENT

Plaintiff King County ("King County") and Defendants Andrew and Alissa Faraci ("Faraci Defendants") have entered into a settlement agreement and hereby consent to entry of a final judgment resolving all claims between them with respect to the portion of the East Lake Sammamish Railroad Corridor, which includes King County Tax Parcel No. 0624069013 ("Corridor"), adjoining the Faraci Defendants' property. The Faraci Defendants disclaim any interest that they possibly could have asserted with respect to the portion of the Corridor, including any shorelands and submerged lands within the Corridor that adjoins the Faraci's

property located at 2133 E. Lake Sammamish Place SE, Sammamish, Washington 98075, King County Tax Parcel no. 8920100104 (the “Property”) and consent to entry of final judgment quieting title in favor of King County. King County’s claims for a declaratory judgment and quiet title are GRANTED.

II. STIPULATED FACTS

This Stipulated Judgment is based on the following facts:

1. The Corridor, where it adjoins the Property, King County Tax Parcel No. 0624069013) is as set forth in the official King County survey conducted in 1998, attached as Exhibit A.

2. The Corridor is under the continuing jurisdiction of the STB and interim trail use may be subject to possible future reconstruction and reactivation of the former railroad Corridor for rail service pursuant to the National Trails System Act Amendments of 1983, Pub. L. No. 98-11, § 208, 97 Stat. 42, codified at 16 U.S.C. § 1247(d) (2006).

3. King County and the Faraci Defendants agree that this Judgment resolves all claims arising from the allegations in the Complaint, and they waive all rights to appeal or otherwise challenge or contest the validity of this Order.

//

//

//

//

//

III. ORDER

It is hereby ORDERED:

1. King County is granted a decree quieting title free and clear from all claims by the Faraci Defendants and/or their successors-in-interest to the portion of King County Tax Parcel No. 0624069013, the land conveyed by the September 18, 1998 quit claim deed from TLC to King County (recording No. 9809181252 which is attached as Exhibit B to this Order) that adjoins the Property. King County is entitled to the exclusive use and control of this property, which it owns in fee simple.

2. King County and the Faraci Defendants shall each bear their own attorneys' fees and costs. This Court will not make any order awarding additional payment of attorneys' fees or monetary damages for the claims.

3. King County has the right to remove any encroachments or improvements previously placed, if any, in the Corridor adjoining the Property.

DATED this 29th day of May, 2020.



Mary Alice Theiler
United States Magistrate Judge

Presented By:

DANIEL T. SATTERBERG
King County Prosecuting Attorney

ROMERO PARK PS

By: s/ David J. Hackett
DAVID HACKETT, WSBA #21236
Senior Deputy Prosecuting Attorney
King County Prosecuting Attorney's Office
500 Fourth Ave., 9th Floor
Seattle, WA 98104
Telephone: (206) 296-8820
Fax: (206) 296-8819
Email: david.hackett@kingcounty.gov

By: s/ H. Troy Romero
H. Troy Romero, WSBA #19044
Justin D. Park, WSBA #28340
155 - 108th Avenue NE, Suite 202
Bellevue, WA 98004
tromero@romeropark.com
jpark@romeropark.com

Attorneys for Andrew and Alissa Faraci

By: s/ Emily J. Harris
Emily J. Harris, WSBA #35763
Benjamin C. Byers, WSBA #52299
Special Deputy Prosecuting Attorneys
CORR CRONIN LLP
1001 Fourth Avenue, Suite 3900
Seattle, WA 98154
Telephone: (206) 625-8600
Fax: (206) 625-0900
Email: eharris@corrchronin.com
bbyers@corrchronin.com

Attorneys for King County